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ABSTRACT

Nonprofit organizations, private foundations, and for-profit corporations interested in shaping public education regularly partner with charter schools in New York. State law allows charter schools to pursue external partners to help meet their fiscal, facilities, operational, and instructional needs. This qualitative study of 10 schools in New York City examines how the relationship between charter school and external partner affects school autonomy and the school's relationships with teachers, parents, and community members. Data were collected through interviews with school staff and representatives of partner organizations, and through observations of meetings, daily school operations, and school-related events. The samples studied suggest that the fiscal and operational burdens of running a charter school necessitate affiliation with an institutional partner. However, partnering brings its own set of problems, particularly unclear authority and accountability. The study reveals that a school's decision-making authority is limited, and its relationships with teachers, parents, and community members can become complicated when issues of authority and accountability are not absolutely clear. The study concludes that when institutional partners do not involve teachers, parents, and community members in creating a vision for the school, the potential for tension among the various stakeholders remains high. (WFA)

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THE PARADOX OF SUPPORT: CHARTER SCHOOLS AND THEIR INSTITUTIONAL PARTNERS

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Findings drawn from *Going Charter: New Models of Support, 2001*
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I. Introduction

In December 1998, New York State passed charter legislation, allowing for the creation of up to one hundred new charter schools and the conversion of an unlimited number of public schools to charter status. Charter legislation has promised to foster greater efficiency and higher student achievement by freeing these public schools from the constraints of district regulation, supervision and support, and allowing them to shape their programs around the needs of the community. Yet charter schools in New York generally do not try to go it alone. Indeed, despite the theory that charter schools will be able to produce greater student outcomes with less funding than traditional public schools, the current reality of financing and managing a school has driven New York's charter schools to seek external partners to meet their fiscal, facilities, operational, and instructional needs.

The need for such assistance is especially great in New York, where charter schools have taken on the considerable reporting responsibilities of LEAs (Local Educational Agencies),[1] and where they are prohibited from applying their per pupil funds for the purchase, construction, or improvement of a school facility.[2] In New York City in particular, real estate is scarce, often in disrepair, and extremely expensive. Thus facilities costs have been a large part of the financial burden of operating a charter school.

At the same time, the deregulation of charter law in New York has created new opportunities for private foundations, nonprofit organizations, and for-profit corporations interested in shaping public education. Some of these organizations are new to New York City while others already

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[1] In June 2001, charter schools became their own LEAs, except for special education services (identification and evaluation of students, and provision and monitoring of services), which is still under the jurisdiction of the school district in which the charter school is geographically located.

[2] State of New York, Article 56, Charter Schools, Section 3853, part 3a & b.

had partnerships with one or more New York City public schools before the enactment of charter law, and have been eager to pursue their educational visions in a less regulated environment.

Twelve of the fourteen charter schools operating in New York City during the 2000 – 2001 school year joined with institutional partners,[3] including foundations, nonprofit and for-profit management companies to assist with a variety of school functions. This paper explores the relationships between institutional partners and their charter schools. We are particularly interested in how these relationships impact school autonomy, teachers' relationships to their schools, and parent/community relations.[4]

II. Research Methods

Starting in 1999, the charter school research team at New York University's Institute for Education and Social Policy has been conducting a three-year qualitative study of charter schools in New York City. Our sample consists of ten schools; four new charter schools, four conversion charter schools, and two new traditional public schools considering converting to charter status. Our data are drawn from interviews and observations conducted during monthly site visits to the ten participating schools, as well as regular interviews with representatives of the institutional partners, both in their headquarters and in the schools. We also attend meetings of planning committees, boards of trustees, and school-related events.

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[3] We use the term "institutional partner" to refer to the foundations, and nonprofit and for-profit organizations that are partnered with charter schools in our sample.

[4] Parts of this paper are taken from: Ascher, C. & Echazarreta, J. & Jacobowitz, R. & McBride, Y. & Troy, T., & Wamba, N. (2001). *Going Charter. New Models of Support. Year-Two Findings.* New York City: Institute for Education and Social Policy.

III. Relationships with Institutional Partners

Four of the ten schools in our study sample had nonprofit institutional partners in 2000-2001. These institutional partners performed a wide range of services, from helping to find, prepare and fund facilities, to providing material resources, to taking charge of back office functions and instructional support. Following is a more specific account of the services provided by institutional partners.

Money. The institutional partners in our sample reported spending significantly more on their schools than they received from public per pupil funding. Institutional partners in all four schools donated their own money, raised private and public money for the school, coordinated fund development activities, and were deeply involved in financial decision-making.

Facilities. For charter schools in New York City, as in much of the country, securing adequate space, acquiring collateral, and obtaining capital funds have been overwhelming problems. Partner institutions played a pivotal role in locating and securing facilities through private connections, coordinating fund raising for facilities, and providing financial and administrative support for leasing and renovation.

Operational Services. Institutional partners assisted charter schools with applications and provided the administrative and political assistance to help schools comply with audits and reporting requirements to authorizers. They assumed primary responsibility for working with authorizers during monitoring visits. Institutional partners also assumed many of the managerial and business tasks usually performed by districts, but seldom asked of traditional schools. For

example, they kept the schools' budgets, managed payroll, and handled transportation and insurance issues.

Pedagogical services. In all four schools in our sample, institutional partners provided the educational philosophy on which the school was based. Institutional partners also made curriculum decisions, arranged professional development for teachers, hired private consultants for psychological, special education, and other student support services.

Paradoxical relationships: the structure of schools' alliance with institutional partners

Because institutional partners were often instrumental to the schools' inception, helped find and prepare facilities, provided a variety of other material resources, and took charge of both back office and pedagogical functions, they developed a sense of ownership over the schools and played strong roles in their governance. Indeed, having invested significant time and money in these schools, the institutional partners often adopted supervisory roles in order to protect their efforts. "If I make an investment, I have a say," said a representative of one institutional partner. Institutional partners' involvement in core school functions and their sense of ownership, combined with the school's deep dependence on its institutional partner, often resulted in loose, undefined boundaries between the school and the institutional partner.

In instances where the institutional partner had been a founding force behind the creation of the school, both the school and institutional partner described the two entities as inextricably linked. A representative from one partner organization explained that the school and the partner institution acted as a single unit, and that the school administrator's "primary obligations are to the organization as a whole [including the institutional partner and its other projects]." The

director of this institutional partner explained that the school "is the arm of the [institutional partner]. It is not legally set up that way, but it is for operational purposes." In a school in which the institutional partner made decisions about the school calendar and curriculum, the president of the institutional partner explained that the partner and the school had identical interests; "We [the institutional partner] operate schools on the school's behalf. The school is the subsidiary of us." In fact, none of the schools in our sample had written agreements stating the provision of services by their institutional partner, nor what the school should expect to give in return. Rather, these services were provided on an ad hoc, informal basis. Moreover, in all four schools, core operational personnel, such as business managers and accountants, and core instructional staff, such as curriculum specialists, professional development coordinators and education directors, were employees of, and were housed at, the institutional partner, not the school.

This fusion between the schools and their institutional partners was reinforced by the structure and composition of the schools' boards of trustees, which, under charter law, are the legal guardians of the charter and responsible for the schools' operational, fiscal and academic health and welfare. Indeed, institutional partners gained authority over school policy and operations initially by shaping the boards of trustees. The chair of the boards of trustees in three of our sample schools was also a key official in the school's institutional partner; in a fourth school, the institutional partner approved the chair. In all four schools, institutional partners' representatives or appointees compromised at least thirty percent of the boards of trustees. Moreover, since the institutional partner filled additional slots with acquaintances or professional colleagues with compatible interests, boards tended to support the partner organization's objectives in major school policy decisions. The school administrator was a voting member of the board in only one

of the four charter schools with institutional partners in our study; and in the other three schools, the administrators were ex officio members.

In the initial stages of the schools' development, this fused structure contributed to a familial dynamic of which both the school and institutional partner were proud. Indeed, in three out of four cases, the principals were new to administrative roles and did not question their lack of authority. However, as the schools became operational - with students, teachers, and parents evolving into their own constituencies - tensions arose about whose needs were to be prioritized and which entity had control over which aspects of the school. What follows are examples of how these ambiguous boundaries influence school autonomy, and schools' relationships with teachers and parents.

Autonomy; school-level authority and control

Charter school deregulation is meant to bring policy and decision-making to the school-level. However, the intertwined relationships between schools and their institutional partners often limited the schools' autonomy and authority over core school functions.

The dual authority structure of a board of trustees and an institutional partner created both formal and informal limits on the administrators' authority. For example, two institutional partners were clear that executive sessions of their boards would be held in the administrators' absence, and that decisions about budgeting, capital funding, and facilities construction were outside the purview of the school administrator. In one school, a policy statement to the board of trustees noted that "the school administrator will consult with the [institutional partner] with respect to [core school functions]. However, the final decision is the school administrator's." In spite of

this policy, the school administrator's status as a non-voting member of the board of trustees limited his/her authority, and allowed the institutional partner to exercise more influence over school functions.

Issues of control and autonomy were most salient in instances where institutional partners had different priorities than school administrators, and where there was no clear route to reconciling differences. One staff of an institutional partner noted that school administrators often make instructional decisions based on pedagogical concerns, without consideration of the budget.

> Principals think about hiring a special education teacher in terms of meeting children's needs, coordinating scheduling, and whether full-time or part-time assistance is required. In contrast, the board and we are primarily concerned about money–where the funds will come from to support another salary and benefits.

While the tension between budget constraints and instructional need is prevalent in most public schools, problems arose in charter schools when the instructional perspective (represented by school staff) did not have an equal voice in the decision-making process. For example, in a school with several children with special needs, the teachers and principals devised a plan to reduce class size across the school by adding a new class. But the board of trustees, which did not include staff, decided against this plan for fiscal reasons. In the end, the institutional partner granted the school additional time with a special education coordinator who was shared between two of the institutional partner's schools. However, school staff felt that this compromise still neglected the major pedagogical issues addressed by the original plan. Indeed, school staff believed that had they been part of the decision, their pedagogical concerns might have outweighed the apparent financial burden of their plan.

Relationships between schools and their teaching staff

Most teachers expressed gratitude toward the resources the institutional partner provided, and were less concerned with authority issues than with having the financial and administrative assistance to keep the school afloat. "The institutional partner provides us with lots of support and technical assistance we wouldn't get otherwise. [Without the institutional partner] we would have to fundraise. Money would be a huge problem. I'm not sure if [the school] would have to close or if we would completely go under, but I'm sure it would be a financial strain on us if [the institutional partner] was not out there raising money."

However, institutional partners often complicated the relationship between the school and its teaching staff. Some teachers were suspicious that decisions affecting their work were being made elsewhere. Indeed, when the locus of control was outside the school, the teachers in our sample said they felt disconnected from decision-making processes. For example, in non-union schools, teachers were hired with one-year letters of agreement that did not detail management's expectations or employee responsibilities. Personnel handbooks were nonexistent or in the draft stages. Teachers wanted clarity and input in the school policies, specifically regarding salaries, work hours, and teacher placement, and were frustrated to learn that their administrator had to defer these decisions to the institutional partner.

In one school, the teachers - understanding that the principal was not empowered to address their needs - threatened to unionize if they were not granted voting representation on the school's board and given equitable compensation packages. After considerable deliberation, a formal salary scale was put in place and the by-laws were amended so that teachers could be placed on the board. However, this situation further complicated the governance structure of that school,

because now teachers were granted the ability to vote on school policies, while their administrator could not.

In three schools, curriculum specialists from the partnering organization observed classes, assisted teachers with their lesson plans, and provided professional development to such an extent that school administrators no longer provided daily instructional supervision to their faculty. The director of one institutional partner admitted the problems of this method of operation.

> "[The institutional partner's director of education] was at the school everyday for the first seven or eight months. She did a lot of different things: ordered books and materials for teachers, created a resource center of professional and student books, observed teachers weekly and discussed their lesson plans, as well as provided a helping hand in the classrooms....Because [the director of education] was my staff member, accountability wasn't always clear...it was confusing for the principal and the teachers, and sometimes inhibited the work that the [director of education] was attempting to do."

Some teachers believed that the institutional partner added an extra layer of bureaucracy, which resulted in an ambiguous reporting structure, and trapped the school administrator between meeting school responsibilities and the institutional partner's needs. One teacher felt that the ambiguous relationship filtered down to the teaching staff. "It is unclear who we [teachers] work for. Do we work for the school or [the institutional partner]?"

Relationships with parents and community

In theory, the deregulation in charter legislation allows charter schools to address the specific needs and concerns of their community of families. However, in two schools in our sample, there was a disconnect between the school's educational philosophy and parents' expectations. One of these schools was founded on a progressive education philosophy, but faced resistance

from parents who wanted a direct instruction curriculum. A teacher from this school explained, "the parents want ditto sheets, workbooks, homework, basic skills, uniforms and phonics. We didn't feel it was appropriate in light of the school philosophy, so we said no workbooks. There is head butting." This teacher explained her sense that parents "felt betrayed in some way" by the gap between their expectations and the school's mission.

This school attempted to address parents' complaints by conceding to some requests, for example, introducing uniforms on a voluntary basis; by initiating communication with parents (through letters and meetings) to explain "[the school's] position from a top-down administrative perspective;" and by bringing parents and teachers together for monthly conversations about the school philosophy. The hope was that these information sessions would inform parents about the school's mission, curriculum, and education philosophy. If parents still protested this child-centered orientation and wanted the school to change, the CEO of the partnered organization said, "That will be a brutal debate but it will have a legitimate framework. I will argue against it with all of my powers, but that is part of the paradox of creating a vision of full partnership with a community." The school administrator also expected to be more explicit about the school mission and curricula in the upcoming year, so that parents would be forewarned before entering their children in the school.

Interestingly, the one school that did provide direct instruction was the only new charter school in our sample that did not – at one time or another – find itself in conflict with the community's needs. Parents from the community served by this school sought a back-to-basics, college-prep curriculum and a school culture that called for strict discipline and school uniforms. But if parents from this school decided that they wanted a progressive curriculum for their children, the

school would not change its orientation. According to one school administrator, "we would not change our expectations or [curriculum]. We would help parents meet the expectation. That's why we have parents sign agreements when they register their children."

The dissonance in educational philosophies between the charter schools and their families raises questions about the whether charter schools have a responsibility to be responsive to parent and community desires. This is especially pertinent for institutional partners that have multiple school sites and a prescribed curriculum. Indeed, although charter schools are meant to be community-based schools, well-meaning institutional partners sometimes sought to establish schools in particular communities without first considering whether their educational philosophies coincided with community preferences.

IV. Discussion

Charter reform has promised to create public schools that operate without district regulations, supervision, or supports. As such, charter schools are supposed to demonstrate that they can make do with less funding than traditional public schools while simultaneously modeling school-based decision-making and autonomy and community control. Yet our sample of ten New York City schools suggests that the fiscal and operational burdens of running a school necessitate affiliation with an institutional partner.

Some would argue that partnering with an institutional partner is a new option for support created by the deregulation of the charter movement. This choice to partner, however, – driven, in most cases, by financial and technical need - generates its own tensions, limiting the school's decision-making authority and complicating schools' relationships with teachers and parents.

Although the tug between pedagogical needs and financial concerns is not new to public education, this conflict takes on a new cast in charter schools, where these kinds of decisions are supposed to be made at the school-level.

The prevalence of these new support arrangements in charter school reform suggests the importance of clarifying issues of authority between the schools and their partner organizations. In New York, there are already signs that some of the ambiguities in authority between charter school staffs and their institutional partners are being resolved. First, it appears that authorizers are moving toward insisting on more formalized relationships between charter schools and their institutional partners. Second, schools and institutional partners are working together to clarify expectations and roles, and some are even creating contracts that delineate the specific terms of their relationships. While these efforts will help to alleviate tensions between the partners and the schools by making decision-making and authority structures transparent, as long as institutional partners do not involve teachers, parents and community members in crafting the vision of the schools, the potential for tension with teachers and community expectations remains.

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